

FILED

JAN 19 2022

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY Red DEPUTY**

DEBRA ROJAS

Plaintiff,

v.

TOLTECA ENTERPRISES INC.

Defendants.

Civil Action No. 1:19-CV-00775-JRN

VERDICT FORM

In answering the following questions, you are to follow the instructions I have given you in the Court's jury charge. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer these questions in the Verdict Form.

QUESTION 1: LIABILITY

Did Tolteca Enterprises (Phoenix) violate the Federal Fair Debt Collection Practices Act by adding a \$50 collection fee onto Debra Rojas' account and did Tolteca Enterprises (Phoenix) not have reasonable procedures to avoid the error? Answer "Yes" or "No".

YES ☒ NO ☐

Answer the following question only if you unanimously answered "Yes" to Question No. 1.
Otherwise, do not answer the following question

QUESTION 2: STATUTORY DAMAGES

What sum of money between one and one thousand dollars (\$1-\$1000) if paid now, in cash, do you find should be assessed against Tolteca Enterprises (Phoenix) as statutory damages?
Answer in dollars and cents for statutory damages.

You may consider the following factors when assessing the amount of statutory damages:

- a. the frequency and persistence of Phoenix's noncompliance with the Federal Fair Debt Collection Practices Act with respect to Debra Rojas;
- b. the nature of Phoenix's noncompliance;
- c. the extent to which Phoenix's noncompliance was intentional.

\$ 100.00

Please proceed to the Final Page of the Jury Verdict.

FINAL PAGE OF THE JURY VERDICT

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. The jury foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The jury foreperson should keep the Verdict Form and bring it when the jury is brought back to the court room.

Signed this 19 day of January, 2022.

Jury Foreperson

ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002